

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
NEW YORK, NEW YORK**

CHEN, Song,
A# 205-371-183

Plaintiff

v.

Civil No. :

Alejandro Mayorkas,
Secretary of the United States Department of Homeland Security;
Ur M. Jaddou,
Director of U.S. Citizenship and Immigration Services, Department of Homeland
Security;
Timothy Houghton,
District Director, New York District Office,
U.S. Citizenship and Immigration Services;
Christopher A. Wray,
Director of Federal Bureau of Investigation,
Department of Justice;

Defendants.

**PLAINTIFF'S ORIGINAL COMPLAINT
FOR WRIT IN THE NATURE OF
MANDAMUS**

Plaintiff CHEN, Song ("Plaintiff" or "Mr. Chen"), by his attorney, Yee Ling Poon, Esq., hereby alleges, upon information and belief, as follows:

I. INTRODUCTION

- 1.1 This action is brought against the Defendants to compel action on an I-485 Application to Adjust Status properly filed by Plaintiff with the U.S. Citizenship and Immigration Services ("USCIS"). The application was filed and remains within the jurisdiction of the Defendants who have improperly withheld action on said application to Plaintiff's detriment.

II. PARTIES

- 2.1 Plaintiff Mr. Chen is a native and citizen of the People's Republic of China. He was born on July 30, 1985 in Changle City, Fujian Province (Exhibit 1, Notarial Birth Certificate). His address is 565 55th St 1/F1 Brooklyn NY 11220.
- 2.2 Defendant Alejandro Mayorkas is the Secretary of the Department of Homeland Security ("DHS"), and this action is brought against him in his official capacity. He is generally charged with enforcement of the Immigration and Nationality Act ("INA"), and is further authorized to delegate such powers and authority to subordinate employees of the Department of Homeland Security. Pursuant to the provisions of the Homeland Security Act of 2002 (Pub. L. No. 107-296), which was signed into law on November 25, 2002, the functions of the Immigration and Nationality Services ("INS") of the Department of Justice, and all authorities with respect to those functions, transferred to DHS on March 1, 2003, and the INS was abolished on that date. The transition and savings provisions of the Homeland Security Act, including sections 1512(d) and 1517, provide that references relating to the INS in statutes, regulations, directives or delegations of authority shall be deemed to refer to the appropriate official or component of DHS.
- 2.3 Defendant Ur M. Jaddou is the Director of U.S. Citizenship and Immigration Services, an Under Secretary position within the Department of Homeland Security, and this action is brought against her in her official capacity. USCIS administers the naturalization and immigration system. It performs many of the duties of the former INS, namely processing and adjudicating various immigration matters, including applications and petitions for work visas, asylum, and citizenship, including I-730 petitions.
- 2.4 Defendant Timothy Houghton is the District Director New York District Office of the New York District Office for U.S. Citizenship and Immigration Services, generally charged with supervisory authority over all operations of the USCIS within his district with certain specific exceptions not relevant here. 8 C.F.R. § 103.1(g)(2)(ii)(B). USCIS New York City is within Defendant Timothy Houghton's district.
- 2.5 Defendant Christopher A. Wray is Director of the Federal Bureau of Investigation of the U.S. Department of Justice. In his official capacity he has authority over security clearances submitted by the Justice Department, EOIR and DHS, and thus has partial authority to perform ministerial acts which relate to the removal conditions on asylum grants established under former 8 U.S.C. § 1157(a)(5) (2000).

III. JURISDICTION

- 3.1 Jurisdiction in this case is proper under 28 U.S.C. § 1331 and § 1361, 5 U.S.C. § 555(b), and the Immigration and Nationality Act and regulations implementing it (Title 8 of the

C.F.R.). Relief is requested pursuant to said statutes.

- 3.2 Under 28 U.S.C. § 1331, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” There is jurisdiction under 28 U.S.C. § 1331 because this action arises under 28 U.S.C. § 1361 (mandamus), the Administrative Procedure Act (APA) (5 U.S.C. § 555(b) and 5 U.S.C. § 702), and the Immigration and Nationality Act (INA) and regulations implementing it (Title 8 of the C.F.R.).
- 3.3 Under 28 U.S.C. § 1361, “[t]he district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.”
- 3.4 The APA requires USCIS to carry out its duties within a reasonable time. 5 U.S.C. § 555(b) states that “[w]ith due regard for the convenience and necessity of the parties or their representatives and within a reasonable time, each agency shall proceed to conclude a matter presented to it.” USCIS is subject to 5 U.S.C. § 555(b). Mr. Chen contends that the delay in processing his I-485 is unreasonable.

IV. VENUE

- 4.1 Venue is proper in this court, pursuant to 28 U.S.C. § 1391(e), in that this is an action against officers and agencies of the United States in their official capacities, brought in the District in which a Defendant maintains an office and where the Plaintiff, Mr. Chen, resides.

V. FACTS

- 5.1 Mr. Chen is a native and citizen of the People’s Republic of China. He was born on July 30, 1985 in Changle City, Fujian Province (Exhibit 1, Notarial Birth Certificate). His address is 565 55th St 1/F1 Brooklyn NY 11220.
- 5.2 Mr. Chen’s wife, WANG, Qiao Dan was granted asylum by Immigration Judge Randa Zagzoug in New York City on August 13, 2012 (Exhibit 2, Order of the Immigration Judge, first and last pages). Mr. Chen’s wife filed a Refugee/Asylee Relative Petition (“I-730”) on his behalf, which was approved on May 10, 2017 (Exhibit 3, I-730 Approval Notice).
- 5.3 On June 7, 2017, Mr. Chen filed an I-485 Application to Adjust Status (“I-485” or “the Application”) with USCIS (Exhibit 4, I-485 Receipt Notice). The Application is still pending.

- 5.4 On July 10, 2018, Mr. Chen had his biometrics taken at USCIS Brooklyn (Exhibit 5, I-797 Notice of Action, Biometrics Appointment).
- 5.5 On September 23, 2019, Mr. Chen appeared at USCIS New York City for his initial interview regarding his I-485 (Exhibit 6, I-797C Request to Appear Notice). USCIS did not make a decision regarding his I-485 on that day.
- 5.6 On January 7, 2020, Mr. Chen, through his attorney, made an e-request for his case status online. The USCIS website response was, "USCIS will review and process the request. Expect a reply by January 29, 2020." Mr. Chen did not receive a reply (Exhibit 7, e-Request Submission Confirmation).
- 5.7 On February 24, 2020, Mr. Chen, through his attorney, made another e-request for his case status online. In a letter, he received the following response dated March 5, 2020. "We are still reviewing your case. We will mail you a notice when we make a decision." (Exhibit 8, e-Request Submission Confirmation and USCIS Letter Response) Mr. Chen has not received a decision.
- 5.8 On July 8, 2021, Mr. Chen, through his attorney, made another e-request for his case status online. His online case status indicated that his interview was completed and that his case "must be reviewed" (Exhibit 9, Online "Check Status" Page).
- 5.9 On November 30, 2021, Mr. Chen, through his attorney, checked his case status online. His online case status indicated that his interview was completed and that his case "must be reviewed" (Exhibit 10, Online "Check Status" Page).
- 5.10 Mr. Chen has been interviewed at the USCIS office located at 26 Federal Plaza in New York. Mr. Chen's case is therefore pending at USCIS New York City.
- 5.11 According to the Check Case Processing Times page on the USCIS website, as of December 17, 2021, New York City USCIS is processing I-485 applications filed before and up to September 20, 2018 about 11 to 37 months from the date of filing (Exhibit 11, USCIS Check Case Processing Times page on USCIS website). Mr. Chen's I-485 was filed on June 7, 2018, prior to September 20, 2018.
- 5.12 Mr. Chen's I-485 was filed on June 7, 2018. It has been more than **three years** since Mr. Chen filed his I-485, and more than two years since he was interviewed. As of December 30, 2021, the only information available on the USCIS website is that Mr. Chen's I-485 "must be reviewed" (Exhibit 12, Online "Check Status" Page).

VI. EXHAUSTION OF REMEDIES

- 6.1 Plaintiff has exhausted his administrative remedies. He has complied with all the requirements to submit his I-485 Application.

VII. REQUEST FOR RELIEF

- 7.1 Defendants have willfully and unreasonably delayed in processing the I-485 Application filed by Plaintiff. The Application remains unadjudicated for more than three years after the date of filing, June 7, 2018, and for more than two years since he was interviewed.
- 7.2 The delay in adjudicating the petitions is not attributable to Plaintiff.
- 7.3 Defendants owe Plaintiff a duty to process the I-485 Application, and they have unreasonably failed to perform that duty. This duty is owed under the INA and regulations.
- 7.4 Defendants have sufficient information to determine Plaintiff's eligibility pursuant to applicable requirements.
- 7.5 Defendants' refusal to act in this case is, as a matter of law, arbitrary and not in accordance with the law. Defendants willfully and unreasonably have delayed in and refused to adjudicate Plaintiff's I-485 Application, thereby depriving him of the peace of mind to which Plaintiff is entitled.
- 7.6 The delay is unreasonable *per se*.
- 7.7 Defendants in violation of the Administrative Procedures Act, 5 U.S.C. § 701 *et seq.*, are unlawfully withholding or unreasonably delaying action on Plaintiff's I-485 Application, and they have failed to carry out the adjudicative functions delegated to them by law with regard to Plaintiff's Application.

VIII. PRAYER

- 8.1 WHEREFORE, in view of the arguments and authority noted herein, Plaintiff respectfully prays that the Defendants be cited to appear herein and that, upon due consideration, the Court enter an order:
 - a. requiring Defendants to process Mr. Chen's I-485 Application with all due haste;
 - b. awarding Mr. Chen reasonable attorney's fees; and
 - c. granting such other relief at law and in equity as justice may require.

Respectfully submitted,



MO Q. CHIN, ESQ.

Attorney for Plaintiff

LAW OFFICE OF YEE LING POON, LLC

9 Mott Street, 4th Floor

New York, NY 10013

(212) 385-4575

DATE: DECEMBER 17, 2021
New York, NY

Table of Exhibits

1. Notarial Birth Certificate (5 pages);
2. Order of the Immigration Judge, first and last pages (2 pages);
3. I-730 Approval Notice (1 page);
4. I-485 Receipt Notice (1 page);
5. I-797 Notice of Action, Biometrics Appointment (1 page);
6. I-797C Request to Appear Notice (2 pages);
7. e-Request Submission Confirmation (1 page);
8. e-Request Submission Confirmation and USCIS Letter Response (3 pages);
9. Online "Check Status" Page (1 page);
10. Online "Check Status" Page (1 page);
11. USCIS Check Case Processing Times page on USCIS website (2 pages);
12. Online "Check Status" Page (1 page).

公 证 书

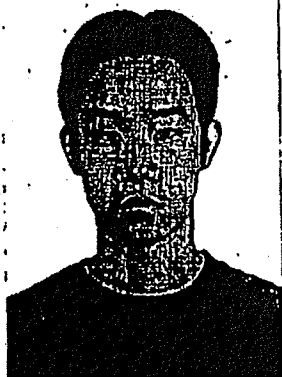
中华人民共和国福建省长乐市公证处

出生公证书

(2009)长证字第58054号

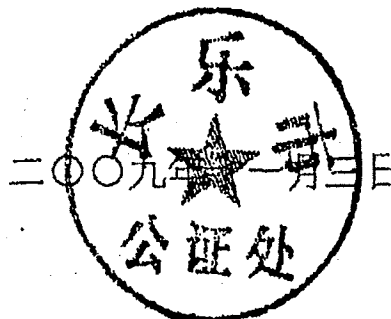
兹证明陈松（男）于一九八五年七月三十日在福建省
长乐市出生。陈松的父亲是陈依南，陈松的母亲是卢秋
贞。

中华人民共和国福建省长乐市公证处



公证员

陈 东



NOTARIAL CERTIFICATE
(Translation)

(2009)CL. Zi, No.58054

This is to certify that Chen Song, Male, was born on Jul.30,
1985 at Changle City, Fujian Province. His father's name is
Chen Yinan and his mother's name is Lu Qiuzhen.

Notary: Chen Qin

Changle Notary Public Office

Fujian Province

The People's Republic of China

Nov.3, 2009

XV43130508

证 明 书

(2009)长证字第58055号

兹证明前面(2009)长证字第58054号的英文译本内容与公证书中文原本相符。

中华人民共和国福建省长乐市公证处

公证员

陈勤

二〇〇九年十一月三日



NOTARIAL CERTIFICATE
(TRANSLATION)

(2009)CL. Zi, No.58055

This is to certify that the content of the English version attached hereto is in full conformity with the (2009)CL. Zi, No. 58054 Notarial Certificate which is in Chinese.

Notary: Chen Qin

Changle Notary Public Office

Fujian Province

The People's Republic of China

Nov.3, 2009

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278**

File No.: A087-785-321

In the Matter of

WANG, Qiao Dan

The Respondent

IN REMOVAL PROCEEDINGS

CHARGE:	INA § 212(a)(6)(A)(i)	Present without admission or parole
APPLICATIONS:	INA § 208 INA § 241(b)(3) 8 C.F.R. § 1208.16	Asylum Withholding of Removal Convention Against Torture

ON BEHALF OF THE RESPONDENT
Michael Brown, Esq.
39-41 East Broadway, Suite 505
New York, NY 10002

ON BEHALF OF DHS
Lena Golovnin, Esq.
Assistant Chief Counsel
26 Federal Plaza, Room 11-130
New York, NY 10278

DECISION AND ORDERS OF THE IMMIGRATION JUDGE

I. PROCEDURAL HISTORY

Qiao Dan Wang (“the Respondent”) is a native and citizen of the People’s Republic of China (“China”). The Respondent entered the United States (“U.S.”) on an unknown date at an unknown time. [Exh. 1.] On November 6, 2009, the Respondent affirmatively filed Form I-589, Application for Asylum and for Withholding of Removal with U.S. Citizenship and Immigration Services (“USCIS”). [Exh. 2.] Her asylum application was referred by USCIS to this Court.

On December 30, 2009, the Department of Homeland Security (“DHS”) served the Respondent with a Notice to Appear (“NTA”) charging her with removability

Since the Respondent's asylum application is hereby granted, it is unnecessary to make a finding as to her request for withholding of removal pursuant to INA § 241(b)(3) or under the CAT.

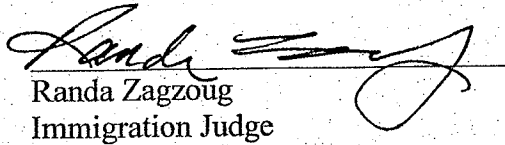
After a careful review of the record, the following order will be entered:

ORDER

IT IS HEREBY ORDERED that the Respondent's application for asylum under § 208 of the Immigration and Nationality Act be **GRANTED**.

Date

8/13/12


Randa Zagzoug
Immigration Judge

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797, Notice of Action

RECEIPT NUMBER SRC-13-002-51031		CASE TYPE I730 REFUGEE ASYLEE RELATIVE PETITION	
RECEIPT DATE October 2, 2012	PRIORITY DATE	PETITIONER A087 785 321 WANG, QIAO DAN	
NOTICE DATE May 10, 2017	PAGE 1 of 2	BENEFICIARY A205 371 183 CHEN, SONG	
YEE LING POON LAW OFFICE OF YEE LING POON 9 MOTT ST 4TH FL NEW YORK NY 10013		Notice Type: Approval Notice Class: ASY BY: _____	
<p>Your Refugee/Asylee Relative Petition for the family member(s) listed on this notice has been approved in accordance with Section 208 of the Immigration and Nationality Act. The family member(s) now has asylee status under Section 208 of the above act. The validity of the status for your family member(s) is dependent on the validity of your status. For information regarding eligibility for status as a lawful permanent resident, please contact your local Service Office.</p> <p>The family member(s) is authorized to work in the United States, incident to status. To obtain a photo-identity document from the USCIS evidencing his or her employment authorization, your family member(s) must each apply for an Employment Authorization Document (EAD). He or she is not required to pay a fee with the initial request for an EAD. However, when he or she submits an application to renew his or her EAD, he or she must pay a fee or request a waiver under 8 C.F.R. 103.7(c). To apply for an EAD submit a separate Form I-765, Application for Employment Authorization, for each qualifying family member to the Nebraska Service Center.</p> <p>If the family member(s) needs to travel outside the U.S., he/she must file an application for a travel document on Form I-131.</p> <p>THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA.</p> <p>NOTICE: Although this application/petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify the information submitted in this application, petition and/or supporting documentation to ensure conformity with applicable laws, rules, regulations, and other authorities. Methods used for verifying information may include, but are not limited to, the review of public information and records, contact by correspondence, the internet, or telephone, and site inspections of businesses and residences. Information obtained during the course of verification will be used to determine whether revocation, rescission, and/or removal</p>			
Please see the additional information on the back. You will be notified separately about any other cases you filed. TEXAS SERVICE CENTER US CITIZENSHIP & IMMIGRATION SVCS P.O. BOX 851488-DEPT A MESQUITE TX 75185-1488 Customer Service Telephone: (800) 375-5283 Form I797A (Rev. 10/31/05)N			

PLEASE TEAR OFF FORM I-94 PRINTED BELOW, AND STAPLE TO ORIGINAL I-94 IF AVAILABLE

Detach This Half for Personal Records

Receipt# SRC-13-002-51031
 I-94# 277081000 24
 NAME CHEN, SONG
 CLASS ASY

PETITIONER: WANG, QIAO DAN
 565 55TH ST 1ST FL
 BROOKLYN NY 11220

277081000 24

Receipt Number SRC-13-002-51031
 United States Citizenship and Immigration
 Services

I-94

Departure Record Petitioner: WANG, QIAO DAN

14. Family Name CHEN	
15. First (Given) Name SONG	16. Date of Birth 07/30/1985
17. Country of Citizenship CHINA, PEOPLE'S REPUBLIC OF	

EXH. 4

THIS NOTICE DOES NOT GRANT A RECEIVED IMMIGRATION STATUS OR BENEFIT.

JUN 18 2018

NOTICE TYPE Receipt		NOTICE DATE June 11, 2018
CASE TYPE I-485, Application to Register Permanent Residence or Adjust Status		USCIS ALIEN NUMBER A205371183
RECEIPT NUMBER LIN1890462141	RECEIVED DATE June 07, 2018	PAGE 1 of 1
PRIORITY DATE	PREFERENCE CLASSIFICATION	DATE OF BIRTH July 30, 1985

SONG CHEN
C/O YEE LING POON LAW OFFICE OF YEE LING POON
9 MOTT STREET FLR 4
NEW YORK, NY 10013

2 00000306



PAYMENT INFORMATION:

Application/Petition Fee: \$1,140.00
Biometrics Fee: \$85.00
Total Amount Received: \$1,225.00
Total Balance Due: \$0.00

NAME AND MAILING ADDRESS

The above application/petition has been received by our office and is in process. Please verify your personal information listed above and immediately notify the USCIS National Customer Service Center at the phone number listed below if there are any changes. Please note that if a priority date is printed on this notice, the priority does not reflect earlier retained priority dates.

Next Steps:

- USCIS will schedule a biometrics appointment for you to have your biometrics electronically captured at a USCIS Application Support Center (ASC). You will be receiving a biometrics appointment notice by mail with the specific date, time, and place where you will have your fingerprints and/or photographs taken.
- You must wait to receive your biometrics appointment notice before going to the ASC for biometrics processing.
- This notice does not serve as your biometrics appointment notice.

If you have questions about possible immigration benefits and services, filing information, or USCIS forms, please call the USCIS National Customer Service Center (NCSC) at **1-800-375-5283**. If you are hearing impaired, please call the NCSC TDD at **1-800-767-1833**. Please also refer to the USCIS website: www.uscis.gov. If you have any questions or comments regarding this notice or the status of your case, please contact our customer service number.

You will be notified separately about any other case you may have filed.

USCIS Office Address:

USCIS
Nebraska Service Center
P.O. Box 82521
Lincoln, NE 68501-2521

USCIS Customer Service Number:

(800)375-5283
ATTORNEY COPY

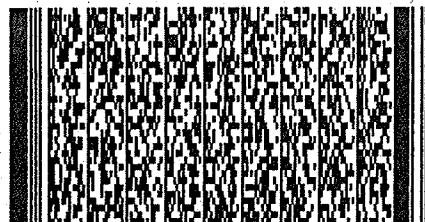


THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

RECEIVED

ASC Appointment Notice JUN 28 2018		APPLICATION/PETITION/REQUEST NUMBER LIN1890462141		NOTICE DATE 06/22/2018
CASE TYPE I485 - APPLICATION TO REGISTER PERMANENT RESIDENCE OR ADJUST STATUS		SOCIAL SECURITY NUMBER	USCIS A# A205 371 183	CODE 5
ACCOUNT NUMBER		TCR	SERVICE CENTER NSC	PAGE 1 of 1

SONG CHEN
c/o YEE LING POON
LAW OFFICE OF YEE LING POON
9 MOTT STREET FLR 4
NEW YORK NY 10013



To process your application, petition, or request, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics. **PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER (ASC) AT THE DATE AND TIME SPECIFIED.** IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION, PETITION, OR REQUEST WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER
USCIS BROOKLYN
1260-1278 60th Street
Brooklyn NY 11219

PLEASE READ THIS ENTIRE NOTICE CAREFULLY.
DATE AND TIME OF APPOINTMENT
07/10/2018
01:00PM

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

- 1. THIS APPOINTMENT NOTICE** and
- 2. PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Resident Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, you will not be fingerprinted.

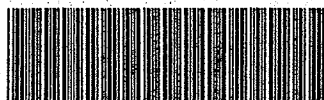
CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.

NOTE: If the USCIS ASC is closed due to inclement weather or for other unforeseen circumstances, USCIS will automatically reschedule your appointment for the next available appointment date and mail you a notice with the new date and time.

REQUEST FOR RESCHEDULING

- ☐ **Please reschedule my appointment.** Once USCIS receives your request, you will be sent a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to BPU, Alexandria ASC, Suite 100, 8850 Richmond Hwy, Alexandria, VA 22309-1586

APPLICATION NUMBER
I485 - LIN1890462141





If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING: Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics sheet should accompany you. If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

RECEIVED

AUG 26 2019

REQUEST FOR APPLICANT TO APPEAR FOR INITIAL INTERVIEW			Notice Date August 17, 2019
Case Type FORM I485, APPLICATION TO REGISTER PERMANENT RESIDENCE OR ADJUST STATUS			A# A205 371 183
Receipt Number LIN1890462141	Received Date June 07, 2018	Priority Date	Page 1 of 2
SONG CHEN c/o YEE LING POON LAW OFFICE OF YEE LING POON 9 MOTT STREET FLR 4 NEW YORK NY, 10013		A Number  Receipt Number 	
<p>You are hereby notified to appear for the interview appointment, as scheduled below, for the completion of your Application to Register Permanent Residence or Adjust Status (Form I-485) and any supporting applications or petitions. <u>Failure to appear for this interview and/or failure to bring the below listed items will result in the denial of your application.</u> (8 CFR 103.2(b)(13))</p> <p><u>Who should come with you?</u></p> <ul style="list-style-type: none"> If your eligibility is based on your marriage, your husband or wife must come with you to the interview. If you do not speak English fluently, you should bring an interpreter. Your attorney or authorized representative may come with you to the interview. If your eligibility is based on a parent/child relationship and the child is a minor, the petitioning parent and the child must appear for the interview. <p>*NOTE: Every adult (over 18 years of age) who comes to the interview must bring Government-issued photo identification, such as a driver's license or ID card, in order to enter the building and to verify his/her identity at the time of the interview. You do not need to bring your children unless otherwise instructed. Please be on time, but do not arrive more than 30 minutes early. We may record or videotape your interview.</p> <p><u>YOU MUST BRING THE FOLLOWING ITEMS WITH YOU:</u> (Please use as a checklist to prepare for your interview)</p> <ul style="list-style-type: none"> This Interview Notice and your Government issued photo identification. A completed medical examination (Form I-693) and vaccination supplement in a sealed envelope (unless already submitted). A completed Affidavit(s) of Support (Form I-864) with all required evidence, including the following, for each of your sponsors (unless already submitted): <ul style="list-style-type: none"> Federal Income Tax returns and W-2's, or certified IRS printouts, for the most recent tax year; Letters from each current employer, verifying current rate of pay and average weekly hours, and pay stubs for the past 2 months; Evidence of your sponsor's and/or co-sponsor's United States Citizenship or Lawful Permanent Resident status. All documentation establishing your eligibility for Lawful Permanent Resident status. Any immigration-related documentation ever issued to you, including any Employment Authorization Document (EAD) and any Authorization for Advance Parole (Form I-512). All travel documents used to enter the United States, including Passports, Advance Parole documents (I-512) and I-94s (Arrival/Departure Document). Your Birth Certificate. Your petitioner's Birth Certificate and your petitioner's evidence of United States Citizenship or Lawful Permanent Resident Status. If you have children, bring a Birth Certificate for each of your children. If your eligibility is based on your marriage, in addition to your spouse coming to the interview with you, bring: <ul style="list-style-type: none"> A certified copy of your Marriage Document issued by the appropriate civil authority; Your spouse's Birth Certificate and your spouse's evidence of United States Citizenship or Lawful Permanent Resident status; If either you or your spouse were ever married before, all divorce decrees/death certificates for each prior marriage/former spouse; Birth Certificates for all children of this marriage, and custody papers for your children and for your spouse's children not living with you; Supporting evidence of your relationship, such as copies of any documentation regarding joint assets or liabilities you and your spouse may have together. This may include: tax returns, bank statements, insurance documents (car, life, health), property documents (car, house, etc.), rental agreements, utility bills, credit cards, contracts, leases, photos, correspondence and/or any other documents you feel may substantiate your relationship. Original and copy of each supporting document that you submitted with your application. Otherwise, we may keep your originals for our records. If you have ever been arrested, bring the related Police Report and the original or certified Final Court Disposition for each arrest, even if the charges have been dismissed or expunged. If no court record is available, bring a letter from the court with jurisdiction indicating this. <p>If you have questions, please call the USCIS Contact Center at 1-800-375-5283 (hearing impaired TDD service is 1-800-767-1833)</p> <p>PLEASE COME TO: U.S. Citizenship and Immigration Services 26 FEDERAL PLAZA, 8TH FLOOR, ROOM 8-800 JACOB K. JAVITS FEDERAL BUILDING NEW YORK, NY 10278</p> <p>ON: Monday, September 23, 2019 AT: 08:05AM</p>			
1			

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

REQUEST FOR APPLICANT TO APPEAR FOR INITIAL INTERVIEW			Notice Date August 17, 2019
Case Type FORM I485, APPLICATION TO REGISTER PERMANENT RESIDENCE OR ADJUST STATUS			A# A205 371 183
Receipt Number LIN1890462141	Received Date June 07, 2018	Priority Date	Page 2 of 2
<ul style="list-style-type: none">A certified English translation for each foreign language document. The translator must certify that s/he is fluent in both languages, and that the translation in its entirety is complete and accurate. <p><u>YOU MUST APPEAR FOR THIS INTERVIEW.</u> If an emergency, such as your own illness or a close relative's hospitalization, prevents you from appearing, call the U.S. Citizenship and Immigration Services (USCIS) National Customer Service Center at 1-800-375-5283 as soon as possible. Please be advised that rescheduling will delay processing of application/petition, and may require some steps to be repeated. It may also affect your eligibility for other immigration benefits while this application is pending.</p>			
If you have questions, please call the USCIS Contact Center at 1-800-375-5283 (hearing impaired TDD service is 1-800-767-1833)			
PLEASE COME TO: U.S. Citizenship and Immigration Services 26 FEDERAL PLAZA, 8TH FLOOR, ROOM 8-800 JACOB K. JAVITS FEDERAL BUILDING NEW YORK, NY 10278			ON: Monday, September 23, 2019 AT: 08:05AM
2			

Thank you for your request

USCIS will review and process the request.

Expect a reply by **January 29, 2020**

Your request ID number is **SR10072003188TSC**

[Return to Main Inquiry Page](#) [View all USCIS Self Service Online Tools](#)

Contact Us
Site Map (Index)
Careers at USCIS
Adobe PDF Reader
Windows Media Player

White House.gov
US Department of State
USA.gov
SAVE
SAVE Case Check

U.S. Department of Homeland Security
US Customs & Border Protection
US Immigration & Customs Enforcement

Freedom of Information Act (FOIA)
No FEAR Act
Website Policies
Privacy Policy
Accessibility

Thank you for your request

USCIS will review and process the request.

Expect a reply by **March 17, 2020**

Your request ID number is **SR10552001698NSC**

[Return to Main Inquiry Page](#) [View all USCIS Self Service Online Tools](#)

Contact Us	White House.gov	U.S. Department of Homeland Security	Freedom of Information Act (FOIA)
Map (Index)	US Department of State	US Customs & Border Protection	No FEAR Act
Requests at USCIS	USA.gov	US Immigration & Customs Enforcement	Website Policies
Use PDF Reader	SAVE		Privacy Policy
Windows Media Player	SAVE Case Check		Accessibility

USCIS Brooklyn Field Office
26 Federal Plaza
New York, NY 10278



U.S. Citizenship and Immigration Services

Thursday, March 5, 2020

POON, YEE LING
LAW OFFICE OF YEE LING POON LLC
9 MOTT STREET
FLOOR 4TH
NEW YORK NY 10013

ATTORNEY COPY

SONG CHEN
565 55TH STREET
FL 1st
BROOKLYN NY 11220

Dear Song Chen:

On 02/24/2020, you or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Person who contacted us:	Poon, Yee Ling
Caller indicated they are:	Attorney or Authorized Representative
Attorney Name:	POON, YEE LING
Case type:	I485
Filing date:	06/07/2018
Receipt #:	LIN-18-904-62141
Referral ID:	SR10552001698NSC
Beneficiary (if you filed for someone else):	Information not available
Your USCIS Account Number (A-number):	A205371183
Type of service requested:	Outside Normal Processing Times

The status of this service request is:

On February 24, 2020, you or your representative contacted U.S. Citizenship and Immigration Services (USCIS) concerning your I-485 Application to Register Permanent Residence or Adjust Status because you believe your case is outside normal processing times.

We are still reviewing your case. We will mail you a notice when we make a decision.

We offer many online services and tools to help you find the information you need at www.uscis.gov/tools and my.uscis.gov, including:

Case Status: Sign up for detailed case updates in my USCIS: my.uscis.gov/account

Check your current case status: www.uscis.gov/casestatus

Check processing times: www.uscis.gov/processingtimes

Ask about your case: www.uscis.gov/e-request

Ask our virtual assistant Emma: www.uscis.gov/emma

Address Changes: If you move, please visit www.uscis.gov/addresschange for information on how to update your address. Remember to update your address for all your receipt numbers.

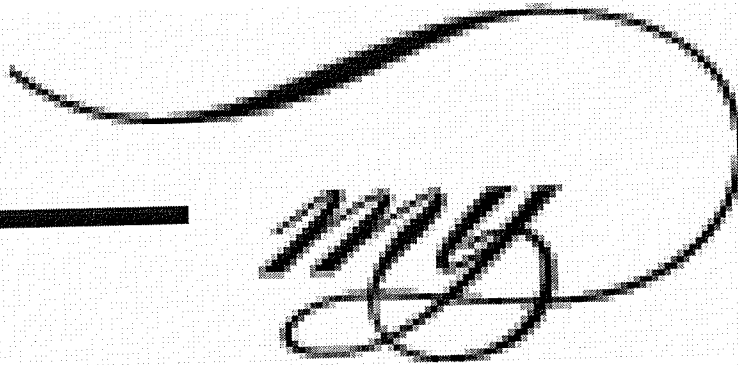
If you try our online tools and still need help, you can call the USCIS Contact Center at 800-375-5283 or 800-767-1833 (TDD for the hearing impaired).

Thank you for your inquiry. We appreciate your continued patience.

U.S. Citizenship
and Immigration
Services

(https://www.uscis.gov/)

Login (/casestatus/displayLogon.do) or Sign up (https://my.uscis.gov/authenticate/saml/sign_up)



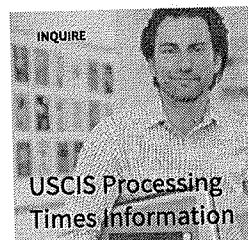
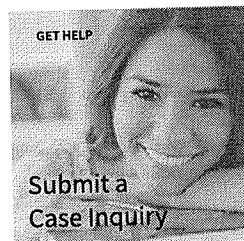
Interview Was Completed And My Case Must Be Reviewed

Your interview for your Form I-485, Application to Register Permanent Residence or Adjust Status, Receipt Number LIN1890462141, was completed, and your case must be reviewed. We will mail you a notice if we make a decision or take further action. If you move, go to www.uscis.gov/addresschange (<https://egov.uscis.gov/coa/displayCOAForm.do>) to give us your new mailing address.

Enter Another Receipt Number ?

CHECK STATUS

RELATED TOOLS

U.S. Citizenship and
Immigration Services
(https://www.uscis.gov/)

EXH. 10

X



Interview Was Completed And My Case Must Be Reviewed

Your interview for your Form I-485, Application to Register Permanent Residence or Adjust Status, Receipt Number LIN1890462141, was completed, and your case must be reviewed. We will mail you a notice if we make a decision or take further action. If you move, go to www.uscis.gov/addresschange (<https://egov.uscis.gov/coa/displayCOAForm.do>) to give us your new mailing address.



Enter Another Receipt Number ?

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USCIS Response to Coronavirus (COVID-19) (<https://www.uscis.gov/about-us/uscis-response-to-covid-19>)

Para tener acceso a este sitio en español, presione aquí ([./es](#))

Check Case Processing Times

Select your form number and the office that is processing your case

For more information about case processing times and reading your receipt notice, visit the [Case Processing Times \(\[./more-info\]\(#\)\)](#) page.

Form

I-485 I Application to Register Permanent Residence or Adjust Status

Field Office or Service Center

New York City NY

Get processing time

ALERT: Starting Nov. 1, 2021, processing times will be based on 6 months of data instead of one month. You can read more about processing times on our Case Processing Times page.

Processing time for Application to Register Permanent Residence or Adjust Status (I-485) at New York City NY

Estimated time range	
11 Months	37 Months

Check your case status (<https://egov.uscis.gov/casestatus/landing.do>)

① How we process cases

This time range is how long it is taking USCIS to process your case from the date we received it. We generally process cases in the order we receive them, and we will update this page each month. The estimated time range displayed is based on data captured approximately two months prior to updating the page. Please note that times may change without prior notice.

We have posted a "Receipt date for a case inquiry" in the table below to show when you can inquire about your case. If your [receipt date \(/more-info\)](#) is before the "Receipt date for a case inquiry", you can submit an "outside normal processing time" service request [online](#) (<https://egov.uscis.gov/e-request>).

Estimated time range	Form type	Receipt date for a case inquiry
10 Months to 20.5 Months	Employment-Based adjustment applications	April 14, 2020
11 Months to 39 Months	Family-Based adjustment applications	September 20, 2018



Other case processing times resources

[When to expect to receive your Green Card \(/expect-green-card\)](#)

[Processing information for the I-765 \(/i765\)](#)

[Affirmative Asylum Interview Scheduling \(http://www.uscis.gov/humanitarian/refugees-asylum/asylum/affirmative-asylum-scheduling-bulletin\)](http://www.uscis.gov/humanitarian/refugees-asylum/asylum/affirmative-asylum-scheduling-bulletin)

[Administrative Appeals Office \(https://www.uscis.gov/about-us/directorates-and-program-offices/administrative-appeals-office-aao/aao-processing-times\)](https://www.uscis.gov/about-us/directorates-and-program-offices/administrative-appeals-office-aao/aao-processing-times)

[International Offices \(/international-operations-office\)](#)

[Historical Average Processing Times \(/historic-pt\)](#)

[Parole Processing \(https://www.uscis.gov/humanitarian/humanitarian-parole/parole-processing\)](https://www.uscis.gov/humanitarian/humanitarian-parole/parole-processing)

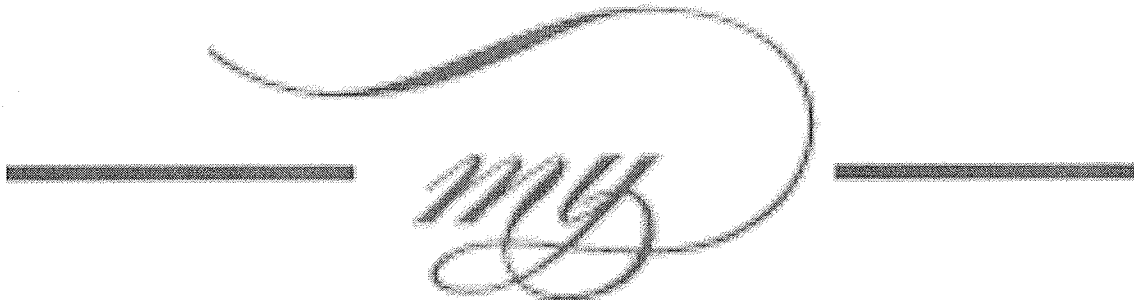


Case management tools

[Inquire about a case outside normal processing time \(https://egov.uscis.gov/e-request/displayONPTForm.do?entryPoint=init&sroPageType=onpt\)](https://egov.uscis.gov/e-request/displayONPTForm.do?entryPoint=init&sroPageType=onpt)

EXH 12

X



Interview Was Completed And My Case Must Be Reviewed

Your interview for your Form I-485, Application to Register Permanent Residence or Adjust Status, Receipt Number LIN1890462141, was completed, and your case must be reviewed. We will mail you a notice if we make a decision or take further action. If you move, go to [www.uscis.gov/addresschange](https://egov.uscis.gov/addresschange) (<https://egov.uscis.gov/coa/displayCOAForm.do>) to give us your new mailing address.



Enter Another Receipt Number ?

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